



**REGULAR MEETING
MINUTES
for
Wednesday, July 28, 2004
4:00 P.M. – Council Chamber Boardroom
and
5:30 P.M. - Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 P.M.

1) Roll Call

Present: Commissioners Brewer, Corral, Davidson, Gardner, Huerta (arrived 4:10), Percy (arrived 4:25), and Ward

Absent: Commissioners Garcia and Quinto

2) Public Comment

There were no public comments.

3) Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:06 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

<u>CPRC CASE NO.</u>	<u>IA CASE NO.</u>	<u>CPRC CASE NO.</u>	<u>IA CASE NO.</u>
1) 03-071	PC-03-269-064	7) 04-013	PC-04-051-215
2) 03-079	PC-03-297-278	8) 04-018	PC-04-070-194
3) 03-092	PC-03-336-083	9) 04-019	PC-04-104-195
4) 04-003	PC-04-019-175	10) 04-021	PC-04-104-195
5) 04-006	PC-04-026-071	11) 04-023	PC-04-082-146
6) 04-010	PC-04-040-290	12) 04-024	PC-04-096-055

The Commission recessed at 5:21 p.m. to reconvene in the Council Chambers at 5:30 p.m.

OPEN SESSION – 5:30 P.M.

**The following proceedings have been digitally recorded.
For copies, please call the CPRC office at (909) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

Roll Call

Present: Commissioners Brewer, Corral, Gardner, Huerta, Percy, and Ward

Absent: Commissioners Garcia, Davidson (left @ 5:23), & Quinto

4) Approval of Minutes

Commissioner Huerta moved to approve the minutes for the June regular meeting and July 14 case review meeting. Commissioner Brewer seconded the motion. The motion passed unanimously.

5) Executive Director's Report & Comments

The Executive Director advised the Commission that he will not be attending the 2004 NACOLE Conference.

6) Commissioner's Comments

Commissioner Huerta

- spoke before the Latino Network
- meeting was well-attended and very productive

Chairman Gardner

- addressed the Downtown Kiwanis along with Linda Dunn and Bill Howe

7) Public Comments

Dr. Ron Bailey

Dr. Bailey said that in order for there to be true police accountability, the Commission must have credibility in the community. He said this is just another commission to insulate police from accountability issues. He also said that he understands that all oversight bodies fight police resistance and that strong community advocacy is necessary to overcome resistance.

Mary Shelton

Ms. Shelton said that she was looking online at Riverside County and the RPOA sites. She said that she learned that the judge dismissed the case and sent them to private mediation. She also questioned whether RPD will follow its policy or continue as in the past. She said she is confused about the mediation issue and how it will impact Stokes and other shootings.

Chairman Gardner told her the Commission has received no response from the RPOA regarding this issue.

Ralph Avila

Mr. Avila made reference to what he planned on doing regarding his family and their strong affiliation with law enforcement in the community. He also said the minutes don't reflect what he said. He said that RPD seems to have carte blanche regarding investigations.

8) Direction & Focus of the CPRC from One Minority Member's Perspective

Commissioner Ward commented on six issues:

1) Being a Minority Member

- addressed issues and concerns as a minority on this commission as it relates to differences
- minority community played a vital role in the establishment of this commission after study concluded that the community lacked trust in the RPD
- part of the function of the Commission is to establish and / or reestablish trust and provide transparency into the RPD
- if the above objectives are to be accomplished, minority members of the Commission must play a significant role in bridging the racial divide

2) Majority Rule vs. Moral Consensus

- mayor and city council made it a point to have a racially diverse commission
- racial diversity can be subverted when combined with concept of majority rule
- if Commission is to operate on the basis of majority rule, it needs to share a moral consensus
- being a minority member and never being in a position to have the majority vote, minority participation can become null and void
- feels it is time to move diversity beyond race into a clear understanding of the racial divide
- when it comes to matters of policing, differences need to be addressed from a moral perspective, not just majority rule.

3) Workshop –

- in talking with the Asst. City Manager and the City Attorney, the City Attorney suggested we set up a workshop
- took approximately one year before set up began
- workshop broke down when the City Attorney offered a number of reasons why he could or would not speak to Commission.
- Commission was told the City Attorney would respond to concerns if they were submitted in writing
- Commissioner Wards were submitted approximately two months ago with no reply to date
- purpose of the meeting with the City Attorney was to try and establish a consensus among commissioners relating to Commission's powers and duties
- after approximately three years on Commission, still can't answer those questions

4) RPD Training

- RPD training just "appeared" on the agenda
- training is taken from the RPD Policy and Procedures Manual, of which all commissioners have a copy
- feels that the RPD is doing a better job of sharing its perspective with Commission than Commission is doing in sharing the community's perspective with RPD.

5) Outreach Committee

- relatively new committee
- hopes this committee will make it a point to reach out to communities most effected by the lack of trust in police

6) NACOLE Conference

- 2004 NACOLE Conference in Chicago is indicative of problem of majority rule
- Commission voted to send three members to the conference and not one minority among them
- no problem giving poor and minority communities recognition as communities that pose the most problems for the police
- tendency is to look to the majority community when trying to develop solutions to these problems
- seem to be willing to learn about minorities from everyone except minorities

Summary

- if it his community that is a problem, as a minority member of the Commission, would like to be seen as one who is part of the solution
- feels his service is of little or no value to himself as minority or minority community
- is not why he applied for the Commission and hopes that is not why he was selected

Chairman Gardner

- raised good points
- Commissioner Ward's service is valuable to him
- might not always agree with him, but Commissioner Ward's perspective helps him see things he might not have seen

Commissioner Huerta

- feels Commissioner Ward a very important part of the Commission
- has caused her to rethink positions
- some of Commissioner Ward's frustrations regarding the City Attorney are the same as those shared by other commissioners
- has created in some an awareness of a different community perspective
- has challenged each commissioner regarding outreach
- said she's frustrated with a lot of things and that they still have a battle to fight
- still thinks there should a majority opinion, but should notice minority whether race or gender
- each commissioner brings something different, unique, and individualized to Commission
- hopes Commissioner Ward stays "in the trenches"

Commissioner Percy

- ditto to previous comments
- regarding majority consensus – wants to hear opinion before making a decision that is helpful for prodding to go in other directions
- don't give up – Commissioner Ward can be a strong voice in point of view
- moral consensus – the Commission is creature of an ordinance not of its construction
- Commission is criticized for not doing more, but it is doing what it can with what it has
- Commission has decisions to make based on the rules – morals are a different issue
- Outreach Committee takes itself very seriously and said Commissioner Ward is an important part and hopes he participates
- although Commissioner Ward may not feel it, he has more significant contribution than he realizes

Mary Shelton

- thanked Commissioner Ward for his comments
- said she understands the frustration regarding majority and moral consensus
- said there is finally someone who understands what community members wanted for the Commission
- is amazed that Council would have someone on Commission who asks the questions he has
- said his questions are the same ones the community has
- said it is unacceptable that City Attorney hasn't answered the Commission's questions
- said the people in the community are behind him and hopes he doesn't give up
- a few things in the workshop could have been different especially the City Attorney's lack of participation

Dr. Ron Bailey

- said Commissioner Ward is a ray of sunshine on the Commission
- said that hopefully someone will realize that all law enforcement needs oversight
- outreach is based on the credibility of the Commission
- said it has little to no credibility in community

Ralph Avila

- frustration heard before
- uphill battle since joining Commission
- if Commissioner Ward resigned, the community would be in complete outrage
- change will come when you step forward

9) 2004 NACOLE Conference

Commissioners discussed how many and who to send to the conference. Commissioner Huerta said she has no problem not attending and recommended Commissioner Ward attend. Chairman Gardner said attendance should be limited to three commissioners.

Commissioner Percy suggested a fundraiser or corporate sponsorship to raise funds so that more commissioners could attend. He also asked if it would be possible to send at least four or five to the conference.

Commissioner Huerta suggested checking on the City's policy regarding soliciting funds from special interest groups. She said it wouldn't be a good idea if it might create more problems.

10) Formation of RPD Policy and Procedure Review Committee

Chairman Gardner said that the Commission had been asked by the Police Department to review the RPD Policy and Procedures Manual. Chairman Gardner said he wanted to create a standing committee to address the request and asked Commissioner Ward to chair the committee.

Commissioner Ward said he would rather not. He said he doesn't think the Department is in a position where they will listen to Commission. Commissioner Percy said that in his meeting with the RPD Command Staff, he was asked why the Commission isn't already doing this. Commissioner Ward said that there are policy recommendations before RPD now that they aren't doing anything about. He said he doesn't want to put in the amount of effort it will take unless he knows it would work.

11) Training Sessions

Chairman Gardner suggested that the RPD training sessions be changed from the fourth Wednesday of the month to the second Wednesday. He asked staff to arrange the change with RPD.

12) Committee Reports

A) Outreach Committee – Commissioner Percy, Chair Commissioner Percy

- said that the Committee will soon have schedule to speak to officers at roll call
- asked commissioners to bring outreach opportunities to his attention
- said there is opportunity for quality control review

B) Budget Committee – Commissioner Brewer, Chair Commissioner Brewer

- said the Committee recommended the Commission pay \$50 for a tee sign at the annual Riverside Chamber of Commerce Golf Classis
- said the Committee approved the printing of 500 copies of the Harvard report
- said the Committee decided against changing business cards, etc. until there is more information regarding the City logo

13) Volne Stokes Officer-Involved Death Case

Several commissioners expressed concern about having a statement from only one of the two involved officers. After discussion, Chairman Gardner asked staff to write a letter to the one officer asking if the officer would be willing to be interviewed by the Commission's outside investigator.

14) Rene Guevara Officer-Involved Death Case

Chairman Gardner told staff that a tactical analysis should be included with this report. Executive Director Williams said it is moving forward.

The Commission adjourned at 7:06 p.m.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist